

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 18, 2006. Claims 41 to 51 remain pending in the application, of which Claims 41, 46 and 51 are independent. Reconsideration and further examination are respectfully requested.

Claim 49 was rejected under 35 U.S.C. § 112, second paragraph for informalities. Claim 49 has been amended giving due consideration to the points noted in the Office Action. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 41, 42, 44 to 47 and 49 to 51 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,167,383 (Henson) in view of an article entitled “The supply chain’s most neglected link” (Engler), and Claims 43 and 48 were rejected under § 103(a) over Hensen in view of Engler and further in view of an article entitled “Office Trash: Handle with Care” (Gair). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention concerns taking orders for delivery of a new article or pick-up of an expendable article for recycling. According to the invention, when an order for an article (e.g., deliver of a new article or collection of an expended article) is received, including an amount of the article included in the order, the amount of the article and information obtained in accordance with weight information or volume information of the article included in an article information table are added to condition information stored in an order condition information storage unit. The

condition information after the addition is then compared with a standard value relating to a loading capacity of a vehicle, and if the comparison shows that the addition exceeds the standard value, service information common to ordered articles is changed and transmitted to the customers, where the service information includes the benefit and corresponds to one of allocation dates of a vehicle that carries articles for fulfilling the order. Thus, if by chance multiple customers order articles to be delivered or collected in a common area on the same date such that the total order from all customers exceeds a loading capacity of the delivery vehicle, the customers can be notified of a change in the date of delivery/collection, along with a discount in the costs for the change.

With specific reference to the claims, independent Claim 41 is directed to an order taking apparatus comprising a communication unit adapted to communicate information with a plurality of terminal apparatuses through a predetermined communication line so as to receive an order for an article including a designation of a specific date regarding the order from each of the plurality of terminal apparatuses, a service information storage unit adapted to store service information, including a benefit, on a service corresponding to an order for an article, a screen information transmission unit adapted to transmit information in a mark-up language for an ordering screen to the plurality of terminal apparatuses, an order condition information storage unit adapted to store condition information for the order for the article received by the communication unit from each of the plurality of terminal apparatuses, a reception unit adapted to receive amount information on an amount of

the article included in the order from each of the plurality of terminal apparatuses, an adder unit adapted to add information obtained in accordance with weight information or volume information of the article included in an article information table and the amount information received by the reception unit to the condition information stored in the order condition information storage unit, a comparison unit adapted to compare the condition information after addition by the adder unit with a standard value relating to a loading capacity of a vehicle, a changing unit adapted to change service information common to the orders for the articles received from the plurality of terminal apparatuses included in the service information stored in the service information storage unit, if the comparison made by the comparison unit shows that the condition information after the addition by the adder unit exceeds the standard value, and a service information transmission unit adapted to transmit the service information changed by the changing unit and a corresponding benefit to the plurality of terminal apparatuses, wherein the service information corresponds to one of allocation dates of a vehicle that carries the articles for fulfilling the order.

Independent Claims 46 and 51 are method and computer-readable medium claims, respectively, that substantially correspond to Claim 41.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claim 41, 46 and 51, and in particular, is not seen to disclose or to suggest at least the feature of an order taking apparatus adding information obtained in accordance with weight information or volume information of an ordered article included in an article information table and amount information of

an ordered article to order condition information, comparing the condition information after the addition with a standard value relating to a loading capacity of a vehicle, and if the comparison shows that the condition information after the addition exceeds the standard value, changing service information common to orders for articles received from a plurality of terminal apparatuses, and transmitting the changed service information, including a corresponding benefit, to a plurality of terminals, where the service information corresponds to one of allocation dates of a vehicle that carries the articles for fulfilling the order.

Henson is seen to disclose a web-based online store in which a user can purchase a computer. The user can select various configurations for the computer they want to order, and after the user has configured the computer they want to purchase, they are provided with the cost and a lead time for delivery. Henson is not seen to disclose the features of the invention, and in particular, is not seen to disclose anything with regard to the collection of waste expendables. Moreover, Henson is not seen to disclose that service information is changed based on weight or volume information, or that the changed service information, together with benefit information, is transmitted to the user.

In this regard, the Office Action asserts that the claimed changing unit is taught by column 7, lines 1 to 8 of Henson. However, this portion of Henson merely teaches that a warning is given to a customer with respect to shipment delays due to certain options selected by the customer. The Office Action also contends that column 10, lines 44 to 46 of Henson teaches the service information indicates a

discount rate or a point. However, this portion of Henson merely teaches to give discount to a customer, but there is no relation between the discount offered and the shipment delay warning. In contrast, the present invention changes the service information and notifies the plurality of terminals of the changed service information, together with the benefit. Thus, Henson is not seen to disclose or to suggest at least the features of an order taking apparatus adding information obtained in accordance with weight information or volume information of an ordered article included in an article information table and amount information of an ordered article to order condition information, comparing the condition information after the addition with a standard value relating to a loading capacity of a vehicle, and if the comparison shows that the condition information after the addition exceeds the standard value, changing service information common to orders for articles received from a plurality of terminal apparatuses, and transmitting the changed service information, including a corresponding benefit, to a plurality of terminals, where the service information corresponds to one of allocation dates of a vehicle that carries the articles for fulfilling the order.

Engler is not seen to remedy the deficiencies of Henson. Engler is merely seen to disclose automatically allocating the delivery of articles to an available truck. However, Engler is not seen to disclose or to suggest anything that, when combined with Henson, would have resulted in the features of an order taking apparatus adding information obtained in accordance with weight information or volume information of an ordered article included in an article information table and

amount information of an ordered article to order condition information, comparing the condition information after the addition with a standard value relating to a loading capacity of a vehicle, and if the comparison shows that the condition information after the addition exceeds the standard value, changing service information common to orders for articles received from a plurality of terminal apparatuses, and transmitting the changed service information, including a corresponding benefit, to a plurality of terminals, where the service information corresponds to one of allocation dates of a vehicle that carries the articles for fulfilling the order.

Gair has also been studied but is not seen to overcome the foregoing deficiencies, and in particular, is not seen to add anything that, when combined with Henson and/or Engler, would have resulted in at least the features of an order taking apparatus adding information obtained in accordance with weight information or volume information of an ordered article included in an article information table and amount information of an ordered article to order condition information, comparing the condition information after the addition with a standard value relating to a loading capacity of a vehicle, and if the comparison shows that the condition information after the addition exceeds the standard value, changing service information common to orders for articles received from a plurality of terminal apparatuses, and transmitting the changed service information, including a corresponding benefit, to a plurality of terminals, where the service information corresponds to one of allocation dates of a vehicle that carries the articles for fulfilling the order.

In view of the foregoing, all of Claims 41 to 51 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett/
Edward A. Kmett
Attorney for Applicants
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 117057v1